AUSA

FILED
OCT 22 2007
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Jorge Luis LOPEZ-Rojo Defendant.	Magistrate Case No.: '07 MJ 8860 COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about October 20, 2007, within the Southern District of California, defendant Jorge Luis LOPEZ-Rojo did knowingly and intentionally import approximately 33.84 kilograms (74.45 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Luis Saenz, Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 22nd DAY OF OCTOBER 2007.

Peter C. Lewis
U.S. MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

This Probable Cause Statement is based on the reports, documents, and notes furnished to United States Immigration and Customs Enforcement Special Agent Luis A. Saenz. I, United States Immigration and Customs Enforcement Special Agent Luis A. Saenz, declare under penalty of perjury, the following is true and correct:

On October 20, 2007, at approximately 1034 hours, Jorge Luis LOPEZ-Rojo attempted to enter the United States from the Republic of Mexico at the Calexico, CA West Port of Entry. LOPEZ was the driver of a 1996 Volkswagen Jetta. LOPEZ was in the company of his common law wife, Ana Cecilia ZENDEJAS-Rodriguez.

LOPEZ and ZENDEJAS gave negative Customs declarations to Customs and Border Protection Officer (CBPO) I. Mercado. LOPEZ presented the valid DSP-150 (Border Crosser Cards) of he and ZENDEJAS to CBPO Mercado to facilitate their admission to the United States. CBPO Mercado noticed Lopez' hand was trembling. CBPO Mercado asked LOPEZ if he was the owner of the vehicle. LOPEZ stated he owned the vehicle for approximately two months. LOPEZ further stated to CBPO Mercado they were going to Las Palmas. CBPO Mercado inspected the vehicle driven by LOPEZ and noticed discrepancies in the dashboard area of the vehicle. CBPO Mercado escorted LOPEZ and the vehicle he was driving to the Vehicle Secondary Area for further inspection.

In the Vehicle Secondary Area, CBPO Mercado conducted a secondary inspection of the vehicle driven by LOPEZ. A canine inspection of the vehicle was solicited, resulting in an alert by the canine unit. CBPO Mercado discovered thirty-four (34) packages, with a combined weight of 33.84 kilograms (74.45 pounds) of marijuana, concealed within the dashboard of the vehicle driven by LOPEZ. CBPO Mercado probed a package and it produced a green leafy substance that field-tested positive for marijuana.

LOPEZ was arrested for importation of marijuana into the United States. LOPEZ was advised of his rights pursuant Miranda. He acknowledged and waived those rights. LOPEZ stated to Special Agent Saenz, he was to be paid $1500.00 for driving the vehicle with narcotics into the United States. LOPEZ further stated he was cognizant that he was in violation of United States laws prior to his arrival at the Calexico, California Port of Entry.

Executed on October 21, 2007 at 08:00 A.M.

Luis A. Saenz
Immigration and Customs Enforcement
Special Agent

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on October 20, 2007 in violation of Title 21, United States Code, Sections 952 and 960.

The Honorable Barbara L. Major
United States Magistrate Judge

10/21/07 at 12:15pm
Date/Time